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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of:<br>Hornack, Janmarie et al. | Date: October 3, 2003 |
| Serial No.: | Group Art Unit: |
| Filed: | |
| DIETARY SUPPLEMENT CONTAINING ALKALINE ELECTROLYTE BUFFERS | Examiner: |

Box Patent Application
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

## LETTER

### BACKGROUND

This continuation application is filed as a replacement for Serial No. 09/706,005, which was finally rejected in an Office Action of April 22, 2003. The claims of record in this continuation application are the claims that were finally rejected by the Examiner in the April 22, 2003 Office Action, plus related method claims 9-11. Claim 1 substituted for original claim 21 has been amended to delete reference to enzymes, amino acids and medicaments as being exemplary therapeutic supplement agents. For clarity the term "plant" has been added before the recitation of "food products" in the first paragraph of claim 1. In addition, claim 1 (and method claim 11) recite that the presence of the alkaline electrolyte additive increases the effectiveness and functional utilization of the supplement agent while the alkaline composition is in the person's stomach by enhancing rapid extracellular, intercellular and extracellular movement of the agent into all cell structures of the person's body. Full antecedent support for this recitation is found at lines 6-8 of page 9 of the specification as filed.

By filing this continuation application as a substitute for parent application Serial No. 09/706,005 and which contains the claims finally rejected in the April 22, 2003 Office Action in the parent case, applicant seeks reconsideration of the rejection of the claims as being unpatentable under 35 U.S.C. § 103(a) based on Kirschner et al. U.S. Patent No. 6,261,600, the sole reference relied upon by the Examiner in finally rejecting claims 3, 7, 9-13, 16 and 21 in the '005 application. Related method claims 9-11 are also patentable over the '600 Kirschner et al. patent.

Original claims 9-13 and 16 (now claims 4-9) were objected to in the April 22, 2003 Office Action in the '005 application as being dependent from rejected claims. Otherwise, claims 9-13 and 16 were deemed allowable.

The '005 application as filed November 3, 2000 contained 20 claims. Claims 1-16 were rejected in an Office Action of May 7, 2001 as being indefinite under 35 U.S.C. § 112, while claims 1-16 were rejected as being unpatentable over four cited references, Hornack, Herschler, Demopoulos and Roser. Method claims 17-20 were subject to a restriction objection and applicant elected claims 1-16 for further prosecution. In applicant's response of November 13, 2001 to that Office Action, accompanied by a Request for Revival after inadvertent abandonment of the application, claims 1 and 16 were amended and an argument presented as to why the claims were patentable over the references cited by the Examiner. The Petition for Revival was granted on January 14, 2002.

The Examiner then issued an Office Action dated April 9, 2002, in which the remaining claims were finally rejected based on Herschler, Walsh, Demopoulos, New et al. and Chen. Applicant filed a Notice of Appeal on August 6, 2002 from the Examiner's April 9, 2002 final rejection. A further response was filed on October 3, 2002, subsequent to the Notice of Appeal, in which claims 1 and 4 were cancelled, and new claim 21 was substituted for original claim 1. The Examiner issued an Advisory Action on December 17, 2002, stating that the October 3, 2002 reply failed to place the application in condition for allowance. Claims 21, 3 and 7 were rejected on the art as being unpatentable only over the newly cited patent No. 6,261,600 to Kirschner et al., which issued July 17, 2001, subsequent to applicant's filing date of November 3, 2000.

Applicant answered the December 17, 2002 Office Action in a response dated January 22, 2003, in which a Rule 131 Declaration and accompanying Exhibit were submitted swearing back of the issue date of the Kirschner et al. '600 patent. The Examiner issued a Final Rejection on April

22, 2003, holding that the Rule 131 Declaration was inadequate to swear back of Kirschner et al. based on the assertion that the evidence presented was not commensurate with the scope of the claimed subject matter.

## REQUEST FOR RECONSIDERATION

### A. Claims Finally Rejected in Parent Application.

Claim 1 (claim 21 of the parent application) is directed to an improved dietary and/or therapeutic supplement composition consisting of agents selected from the group consisting of vitamins, bioflavonoids, minerals, trace minerals, food products containing phytonutrients, and herbs and each having a pH of 6 or less which upon ingesting with food or a beverage would limit the availability of the agent in the stomach of a person ingesting the agent. An electrolyte additive selected from the group consisting of calcium, magnesium and potassium alkaline electrolyte minerals is incorporated with the agent, with a sufficient amount of the alkaline electrolyte additive being provided in combination with the agent to raise the pH of the combination to a pH of from about 8 to about 12.5. The pH of the supplement composition is therefore alkaline in the person's stomach upon ingestion of the composition with food or a beverage and during digestion process while in the person's body. The electrolyte nature of the alkaline minerals increases electrolytes available to the body for balancing fluids and fluid movement increasing bioavailability of the supplement agent.

### B. The Kirschner et al. '600 Patent.

The Kirschner et al. '600 patent issued July 17, 2001 subsequent to filing date of applicant's '005 parent application, which was filed November 3, 2000. The Kirschner et al. patent relates to a folic acid supplement. The patentee adds an alkaline compound to neutralize the folic acid compound and the form a chewable or dissolvable. The chewing or dissolving action of the folic acid is said to activate the neutralizing agent in the person's mouth thereby creating an acid neutralizing environment for the folic acid which continues as the composition moves through the stomach into the intestinal track where the folic acid is absorbed into the person's body.

Kirschner et al. do not disclose that a sufficient amount of an alkaline electrolyte additive selected from the group consisting of calcium, magnesium, and potassium electrolytes should be provided in combination with the folic acid to raise the pH of the combination to a level of from about 8 to about 12.5. In applicant's invention, raising the pH of the initially acidic solid dietary and/or therapeutic supplement agent having a pH of 6 or less to a pH from about 8 to about 12.5 with an alkaline electrolyte increases the effectiveness and functional utilization of the dietary and/or therapeutic supplement agent, while the agent is in the person's stomach. The alkaline composition increases the effectiveness and functional utilization of the supplement agent while the alkaline composition is in the person's stomach by enhancing rapid extracellular, intercellular and intracellular movement of the agent into all cell structures of the person's body. In fact, there is no disclosure in Kirschner et al. at all regarding the addition of a required amount of an electrolyte(s) to an initially acidic dietary and/or therapeutic supplement as disclosed in the present application.

THE FINAL REJECTION

1. The rejection of the original claim 21 based on Kirschner et al. was repeated with the acknowledgment that although Kirschner et al. did not teach the specific pH range recited in claim 21, one of ordinary skill in the art would have been motivated by Kirschner et al. to increase the pH of the vitamin supplement with a "reasonable expectation for increasing the effectiveness of the supplement, since such alkaline environments are specifically taught to do so." (Office Action, 04/22/2003, pg. 4)

2. Applicant's Rule 131 Declaration filed in the '005 parent application was dismissed by the Examiner as not being persuasive because "the evidence [submitted] is not commensurate with the scope of the claim." (Office Action, 04/22/2003, pg. 4) It was the Examiner's position that applicant's disclosure of seven agents combined with one or more of three electrolytes and said to be limited to specific concentrations, was not commensurate with the scope of the claims because there are "innumerable agents that fall into the categories of therapeutic or dietary agents that are known to promote health." (Office Action, 04/22/2003, pg.4)

D. Controlling Law.

The purpose of a Rule 131 affidavit is not to demonstrate prior invention *per se*, but merely to antedate the effective date of a reference. *In re Eickmeyer*, 602 F.2d 974, 978 (CCPA 1979). In *In re Stempel, Jr.*, 241 F.2d 755, (CCPA 1957), the Court held that all an applicant is required to show is "priority with respect to so much as the claimed invention as a reference happens to show. When he has done that he has disposed of the reference." Thus, evidence of prior invention of a species within a claim disposes of that reference as to the genus of which the species is a member.

The overarching principle of *Stempel* was reaffirmed in *In re Tanczyn,* 347 F.2d 830, 833 (CCPA 1965), where the Court refused to sanction a broad rule based on an interpretation of *Stempel* that an entire claimed invention must be shown in the Rule 131 affidavit evidence to overcome a reference except in all cases other than the genus-species situation. The Court in *Tanczyn* said "[t]he primary consideration is whether, in addition to showing what the reference shows, the affidavit also establishes possession of either the whole invention claimed *or something falling within the claim*, in the sense that the claim as a whole reads on it."

In *In re Spiller*, 500 F.2d 1170, 1177-78 (CCPA 1974), the Court held that "appellant's should not be required to submit facts under Rule 131 showing that they reduced to practice that which is obvious in addition to those facts offered as showing a completion of the invention, for the purposes of antedating a reference . . . under Rule 131, it is sufficient that appellant has shown a reduction to practice of his basic invention, which showing will also suffice as to claims differing therefrom only in details which are obvious to one of ordinary skill in the art."

> FN. 5. Since the purpose of the Rule 131 showing is to establish broadly possession of the invention, *In re Tanczyn*, it is proper to consider the obviousness of the differences between what is shown and what is claimed because possession of what is shown carries with it possession of variations and adaptations which would, at the same time be obvious to one skilled in the art.

*Spiller*, at 1178.

E. Third Party Declarations.

Attached to this letter as Exhibits A - D inclusive are declarations of individuals skilled in the relevant art as represented by their education and experience, each stating in their opinion the improved results obtained from applicant's invention as set forth in the attachment to the Hornack 131 Declaration would extend to obvious variations and adaptations of the specific dietary and/or therapeutic supplement agents recorded by applicant in Exhibit B of her declaration. (Hornack Declaration, Par. 7, a copy of which is attached as Exhibit E)

The third party declarations include statements by bionutrition expert Robert Carr, President of Biokinetic Research, Inc. (Exhibit A), Dr. Peipei Wu Wishnow, President and founder of Interceuticals, Inc. (Exhibit B), Dr. Robert Berger, cofounder of KB-Research Group which develops and markets nutriceuticals (Exhibit C), and Michael Kessler, owner and operator of Kessler & Associates, LLC, a market-consulting firm having a complement of clinical research and development programs and other entities relating to the nutriceutical field.

F. Argument.

The Examiner in the April 22, 2003 final rejection of claim 21in the '005 parent application (now claim 1 in amended form) asserted that the Hornack Rule 131 affidavit submitted in the '005 application was unpersuasive because the Hornack declaration was not commensurate in scope with the claims.

The attachment B to the Hornack declaration shows that at least as early as July 23, 1998, applicant had added sufficient magnesium, calcium and potassium electrolytes to a vitamin E product (mixed tocopherols 10 IU) to raise the pH of the composition to 8.02. Specifically, Ms. Hornack added 30 mg of calcium carbonate, 30 mg of magnesium carbonate and 150 mg of potassium carbonate to mixed tocopherols having a pH of about 3.2 to increase the pH of the composition to 8.02.

It is therefore clear that the documentary evidence submitted with the Hornack Rule 131 declaration is a showing that applicant combined a sufficient amount of an electrolyte with an acidic vitamin (mixed tocopherols [vitamin E]) to bring the pH to 8+ versus the Kirschner et al. combination of an alkaline agent with folic acid (an acidic vitamin) to form a chewable or dissolvable product.

The Hornack 131 declaration establishes possession of "*something* falling within the claim, [claims 1 and 11 of this application] in the sense that the claim[s] as a whole reads on it", at a date prior to the issuance date of the Kirschner et al. '600 patent. *In re Tanczyn* at 833. (emphasis added)

Under prevailing legal authority, it is not necessary that applicant show that everything that would come within the claim was done prior to the issuance date of a cited reference.

The Carr, Wishnow, Berger and Kessler declarations (all artisans skilled in this art) verify that it would be obvious to those skilled in this art, from a review of the Hornack notebook entry, Exhibit B to the Hornack declaration, that the same improved bioavailability of the supplement agent resulting from the combination of a sufficient amount of an electrolyte with an acidic vitamin to bring the pH of a level from about 8 to about 12.5, would be obtained with obvious variations and adaptations of supplement agents such as acidic water soluble vitamins, bioflavonoids, minerals, phytonutrients and herbs as recited in claims 1 and 11 of this application.

The Examiner asserted in the final rejection that at the time of applicant's invention (at least as early as July 1998) it would have been well within the purview of one of ordinary skill of the art to increase the pH of a vitamin supplement by addition of electrolytes in order to increase the effectiveness of the composition, with a reasonable expectation for increasing the effectiveness of the supplement, since such alkaline environments are specifically taught to do so.

> Section 715.02 MPEP states:
>
> where the differences between the claimed invention and the disclosure of the reference(s) are so small as to render the claims obvious over the reference(s), an affidavit or declaration under 37 CFR 1.131 is required to show *no more* than the reference shows. *In re Stryker*, 435 F.2d 1340, (CCPA 1971) (emphasis added).

The Examiner in the final rejection of April 22, 2003, asserted that any differences between the subject matter of what was set forth in claim 21 ( now claim 1 in this continuation application) would have been obvious to one skilled in the relevant art.

Applicant submits with this letter substantial evidence in the form of four separate affidavits from skilled artisans in this field that the differences between the specific disclosure of the Kirschner et al. '600 patent and parent claim 1 of this application would have been obvious to one of ordinary skill in the art. Section 715.02 MPEP states explicitly:

> Even if applicant's 37 CFR 1.131 affidavit is not fully commensurate with the rejected claim, the applicant can still overcome the rejection by showing that the differences between the claimed invention and the showing under 37 CFR 1.131 would have been obvious to one of ordinary skill in the art, in view of applicant's 37 CFR 1.131 evidence, prior to the effective date of the reference(s) or the activity. Such evidence is sufficient because applicant's possession of what is shown carries with it possession of variations and adaptations which would have been obvious, at the same time, to one of ordinary skill in the art.

The Hornack declaration submitted in the '005 parent application factually and legally swears back of the Kirschner et al. '600 patent and removes that patent as an effective reference against the claims in this continuation application that were previously rejected based on the disclosure of the '600 patent. It is submitted that claims 1-13 should be found allowable when this application is reached for attention.

Respectfully submitted,

HOVEY WILLIAMS LLP

By Warren N Williams

Date: October 3, 2003

Warren N. Williams, Reg. No. 19,156
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
Tele: (816) 474-9050
Fax: (816) 474-9051
ATTORNEYS FOR APPLICANT

(Docket No. 30900-CNT2)

# Robert E. Carr

**Contact Information**
714 NE 39th Terrace
Kansas City, MO 64116
816-728-3132 (cell)
816-452-0002 (home)
816-847-7340 (office)
bkretcinc@aol.com

**BIOKINETIC RESEARCH INCORPORATED**

**Research and Development Consultants For Microbial Solutions**

**Bio-nutrition Consulting**

**Culture Live Bacteria and Fungal Populations**

**Manufacture Product for Agriculture, Lawn & Garden, Turf and Greenhouse Applications**

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**Enzymes for Agriculture**

**Natural Live Solutions for Today's Environmental Challenges**

THE ARTISTRY OF MICROBES COMBINED WITH APPLIED SCIENCE

BIOKINETIC RESEARCH INC.
4603 South Seymour Rd.
Grain Valley, MO 64029

Biokinetic Research Inc. establishes 21st Century solutions for 20th Century problems. Instead of trying to find answers that rely on chemicals alone, we combine natural microbial science with mild, biodegradable carriers. Our solutions work on everything from hog and dairy waste to wastewater treatment processing. We offer bio-nutrition for plant and animal health. Contact Bob Carr for further information.

## About our President

Bob Carr grew up in a small Missouri town that later grew to a suburb of Kansas City. In that area Bob was always around agriculture of one type or another and from a young age he was fascinated by farm life. Helping his friends and neighbors milk cows, plant corn and harvest in the fall, he grew up knowing that his future would somehow be linked to farm life.

Bob spent lots of time in the city too. He was really excited by the wealth of knowledge that Kansas City had to offer someone interested in agriculture. Between the time he spent at the Linda Hall Library and working over at Farmland Industries as a student helper, he was always learning new ways to approach problems on the farm.

Then Bob went to the best school in the state for an Ag student, The University of Missouri at Columbia and studied Food Science and Nutrition. It was probably one of the best times of his life and he continues to use resources from the school in his work today.

After graduating, Bob went to work for a biotechnology manufacturer for five years and then moved to a second company in that field. After over 12 years working for others, Bob felt ready to open Biokinetic Research. Today many farmers, turf managers, product manufacturers, greenhouse gowers and wastewater treatment engineers rely on Bob and his expertise and staff to solve the difficult problems faced. In addition to consulting to find solutions to the problems, Biokinetic Research produces the products needed and teaches the applications.

Bob can be relied upon for biological and nutritional interactivity science questions. And the companies staff is always there to assist when you need it most.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | |
| HORNACK, Janmarie, et al. | Docket No. 30900-CTN |
| Serial No. : | Group Art Unit No. ______ |
| Filed: | |
| DIETARY SUPPLEMENT CONTAINING ALKALINE ELECTROLYTE BUFFERS | |

Examiner: ___________

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

DECLARATION OF

1. I, Peipei Wishnow, am a resident of 82 Bubier Road
Marblehead, MA 01945.

2. Attached hereto as Exhibit A is a copy of my (resume) or (*curriculum vitae*).

3. I have been advised that Janmarie Hornack, Overland Park, Kansas and Lawrence E. Dorman, Grain Valley, Missouri, the named co-inventors of the above patent application, filed an application Serial No. 09/706-05 under the above title, with this application being a continuation of the >706 application.

4. I have been further advised that the above referenced continuation application describes improved dietary or therapeutic supplements in which a solid dietary and/or therapeutic supplement agent having a pH of 6 or less and chosen from vitamins, bioflavonoids, minerals, trace minerals, whole plant food products containing phytonutrients, herbs and mixtures thereof, is combined with a sufficient amount of an electrolyte additive selected from the group of calcium, magnesium and potassium alkaline electrolytes, to increase the pH of the combined ingredients to a pH of from about 8 to about 12.5, which increases the bioavailability and effectiveness of the agent in the person=s stomach.

5. I have reviewed the Declaration of Janmarie Hornack dated August 6, 2002, and attachments Exhibits A and B to her Declaration. Ms. Hornack in her notebook entry reports adding a sufficient amount of a magnesium, calcium and/or potassium electrolyte to seven bioavailable nutrients, each of which had a pH below 6, thereby increasing the pH of the combination to at least 8.

6. It is my understanding from Ms. Hornack=s Declaration the inventors discovered that

EXHIBIT

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by adding a selected electrolyte to acidic solid dietary and/or therapeutic supplement agents having a pH f 6 or less to increase the pH of the combination to a level such that the pH of the supplement is at an ideal pH of about 8 to about 12.5, two synergistic phenomena occur. As a consequence, the agent in the composition is more absorbable and more rapidly and efficiently digested in the cardio fundic portion of the individual=s stomach. The majority of the agent is digested within a shorter time with less pH fluctuation caused by the composition ingested than would otherwise be the case, if the agent remained acidic. Furthermore, incorporation of a critical amount of the electrolyte factors in the composition provides for an improved intracellular/extracellular transfer rate of the dietary and/or therapeutic supplement agent, contributing to the increased bioavailability and effectiveness of the supplement agent.

7. I have given consideration to the subject matter of claim 1 of the Hornack/Dorman

continuation application, which I understand reads as follows:

An improved dietary and/or therapeutic supplement composition consisting essentially of, in combination:

a solid dietary and/or therapeutic supplement agent selected from the group consisting of water soluble vitamins, bioflavonoids, minerals, trace minerals, whole plant food products containing phytonutrients, herbs, and mixtures of the foregoing that are known to promote health and well being and each having a pH of 6 or less which upon ingestion with food or a beverage would limit the availability of the agent to the person ingesting the agent; and

an electrolyte additive selected from the group consisting of calcium, magnesium and potassium alkaline electrolytes, a sufficient amount of the alkaline additive being provided in combination with the agent to raise the pH of the combination to a level of from about 8 to about 12.5 and enough electrolytes to improve bioavailability at cellular levels upon ingestion of the supplement composition thereby increasing the effectiveness and utilization of the agent in the person's body.

8. I am of the opinion it would be obvious to one skilled in this art from a review of the Hornack notebook entry, Exhibit B to the Hornack Declaration, that the same improved results would be obtained with obvious variations and adaptations of the specific dietary and/or therapeutic supplement agents recorded by Ms. Hornack in Exhibit B of her declaration, such as the acidic water soluble vitamins, bioflavonoids, minerals, phytonutrients and herbs recited in the claim language of paragraph 7 above. 9. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that wilful, false

statements and the like are punishable by fine or imprisonment, or both, under ' 1001 of Title 18 of the United States Code.

Signature

# CURRICULUM VITAE

Peipei Wu Wishnow, Ph.D.
Interceuticals, Inc.
82 Bubier Road
Marblehead, MA 01945

**1997 – Present**

- President and founder of Interceuticals, Inc., launched the company's first product: BetterMAN (formerly NuMAN), established distribution in pharmacies, health food stores and medical/wellness centers
- Public speaker, media experiences including interview by the Wall Street Journal, Dateline NBC, numerous TV/radio talk shows, health talk shows and health stations, and general publications

**1992-1997**

- Protein biochemist/manager at Immulogic Pharmaceuticals, a bio-pharmaceutical company in Waltham, MA.

**1990-1992**

- Postdoctoral research associate scientist at Massachusetts Institute of Technology, MA.
  Filed US patent on a novel plasmid for in-vivo protein degradation
- Postdoctoral research associate at California Institute of Technology, CA.

**1985-1990**

- Ph.D. in Biology at Hunter College of City University of New York, NY.

**1982-1985**

- Master of Sciences in Genetics at Hangzhou University, Zhejiang Province, the People's Republic of China

**1978-1982**

- Bachelor of Sciences in Biology at Hangzhou University, Zhejiang Province, the People's Republic of China

**Hobbies**

- International cooking, gardening, sailing, travelling

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

DECLARATION OF

1. I, Robert Berger, am a resident of 1125 Crystal Way Delray Beach, FL 33444 USA.

2. Attached hereto as Exhibit A is a copy of my (resume) or (*curriculum vitae*).

3. I have been advised that Janmarie Hornack, Overland Park, Kansas and Lawrence E. Dorman, Grain Valley, Missouri, the named co-inventors of the above patent application, filed an application Serial No. 09/706-05 under the above title, with this application being a continuation of the >706 application.

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an electrolyte additive selected from the group consisting of calcium, magnesium and potassium alkaline electrolytes, a sufficient amount of the alkaline additive being provided in combination with the agent to raise the pH of the combination to a level of from about 8 to about 12.5 and enough electrolytes to improve bioavailability at cellular levels upon ingestion of the supplement composition thereby increasing the effectiveness and utilization of the agent in the person's body.

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statements and the like are punishable by fine or imprisonment, or both, under ' 1001 of Title 18 of the United States Code.

____________________________

Signature

A[illegible]N: DR Dorman

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an electrolyte additive selected from the group consisting of calcium, magnesium and potassium alkaline electrolytes, a sufficient amount of the alkaline additive being provided in combination with the agent to raise the pH of the combination to a level of from about 8 to about 12.5 and enough electrolytes to improve bioavailability at cellular levels upon ingestion of the supplement composition thereby increasing the effectiveness and utilization of the agent in the person's body.

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Signature

# Robert Berger, M.S., Ph.D., CPT.

Dr. Robert Berger holds Ph.D's in Biochemistry and Biomedical Pharmacology from the Universities of Tennessee and Pennsylvania, respectively. He also holds a Master of Science degree in Exercise Physiology with minors in Sports Medicine, Biomedical Engineering and Veterinary Science. His background encompasses the fields of Sports Medicine, Biofitness Training, Hormone Research, Nutrition for Disease, Molecular Biology and Animal Science. Dr. Berger is a Nationally Certified Fitness Consultant who was instrumental in the development of "Biofitness Health Club", an on-line medically oriented exercise program located on the internet (www. Biofitness.com). He is also currently active as a radio talk show co-host on various Florida stations, including WNN Health Talk Radio, WAXY Radio, WJNO Radio, and WINZ Superstation, as well as on both regional and national stations covering medical, scientific, nutritional, sports and anti-aging topics.

Dr. Berger was a California high-school All-State football and track athlete, a member of the nationally-ranked University of Tennessee Volunteer football and track teams and an Academic All-Southeastern Conference Athlete. During his graduate work he was a research associate and clinical instructor of Biochemistry and Pharmacology. His research involved the identification of the mechanisms of various fat-reducing substances and food supplements, their interactions with drugs, and their effects on aging in human and animal subjects. He also developed surgical catheterization techniques for drug infusion and blood monitoring in animal models.

After earning his Doctorates, he worked as a post-doctoral research fellow in Biomedicine at the University of Pennsylvania School of Veterinary Medicine and Hospital of University of Pennsylvania. Here he studied the toxicities of various drugs and their effects on growth and organ development in animals. He also established advanced surgical catheterization techniques to improve the efficiency of drug delivery and blood collection in mobile animals. Dr. Berger gained expertise in the processes of enzymology, enzyme kinetics, radioimmuno-assay techniques, molecular biology, lipid and protein chemistry, nutritional analysis, large/small animal surgery, and osmotic-pump implantations for pharmacologic studies.

Dr. Berger was a Technical Scientist for Sigma Chemical Company in St. Louis, Mo. where he was responsible for the evaluation of therapeutics for the research community. Here he also worked as a synthesis chemist for peptide neurochemicals.

Dr. Berger is co-founder of KB-Research Group which develops and markets nutraceuticals for optimal health, anti-cancer, fitness and anti-aging for both humans and animals. His professional affiliations include I.D.E.A. (Affiliate of American Council on Exercise), American Council on Sports Medicine, American Association for the Advancement of Science, Foundation for Biomedical Research, American Association for Clinical Nutrition, Science-By-Mail Outreach Program for Kids and a regional officer of the Humane Society of the United States. He is also a scientific author with many publications in scientific and medical journals.